

The Deamer Design Group  
**Architecture** and planning

April 10, 1999

1685 '99 APR 28 P2:31

William K Hubbard  
Dockets Management Branch (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane Room 1061  
Rockville, MD 20852

Regarding: Performance Standard for *Vibrio Vulnificus*, Docket Number 98P-0504 —  
Volume 64, Number 13, Page 3300 — 3001.

Dear Mr. Hubbard,

The referenced proposal is defective in the following issues:

1 - We purchase fresh oysters, and consume them in many recipes. Not once in forty years have we suffered any ill effects from eating this wonderful seafood. Nor have any family members or friends suffered any illness. Our family and friends' consumption over that period must number in the thousands of oysters.


2 - This is a draconian measure. A tiny number of consumers have suffered illness while millions of others have suffered no ill effects whatsoever. This proposal would destroy an historical American delicacy to protect an infinitesimal minority of consumers. There is absolutely no justification for such a draconian measure.

3 - The origin of this minor health problem is not with the oyster, it is with the pollution controls in the waters where oysters are farmed and harvested. Those guilty of the pollution should be punished, not the victims of the pollution, the oyster farmers.

4 - This legislation smacks of Big Brother government control over personal lives.

5 - Existing regulations are adequate and reasonable. These should continue to be enforced to control the very, very minor health problem of the rare tainted seafood.

Sincerely,



John Deamer  
President  
Architect 9678

98P-0504

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Reference:

SUMMARY: The Food and Drug Administration (FDA) has received a petition from the Center for Science in the Public Interest (CSPI) requesting that the agency establish a performance standard of "nondetectable" for the marine bacterium *Vibrio vulnificus* in raw molluscan shellfish harvested from waters that have been linked to illnesses from this organism. FDA is requesting information and views from the general public on CSPI's request and on several specific questions relating to the petition.

June 29, 1998 Press Release

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"At least one inexpensive treatment process to eliminate the bacteria is available, a mild heat pasteurization technology offered by AmeriPure Oyster Companies of Empire, La. [sic] The company's patented treatment eliminates *Vibrio vulnificus* bacteria for about 8 cents per oyster. The company has said it will license the technology to anyone, including state governments. Other technologies, including a high-pressure treatment, are currently being developed."

cc. Legislators

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